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## CONGRESSIONAL RECORD — Extensions of Remarks

September 13, 1983

office agreed, but the department has refused to take her back.

At the Department of Housing and Urban Development, 77 workers are asking the courts to overturn their firings and demotions. A lawyer for the workers contends there was a "sinister motive" behind the moves: To gain political control over the agency and shut down fair-housing programs. Also at HUD, two fired employees were ordered reinstated after a review board found they had been improperly dismissed because of their union backgrounds.

A recent congressional probe criticized ACTION, the independent agency that handles domestic antipoverty programs, for hiring large numbers of noncareer workers, contrary to directives of congressional committees. It was such activity that prompted formation of the civil service in the first place.

Before 1883, many jobs were awarded by elected officials to friends, who often kicked back part of their pay. That year, reacting to the 1881 assassination of President James Garfield by a disappointed job seeker, Congress passed the Pendleton Act, which outlawed the spoils system and replaced it with a career civil service in which applicants competed on merit tests.

Since then, rules to provide job security have been so strengthened that even some supporters of the civil service concede that firing of incompetent workers has become complicated and time consuming. Numerous government managers say that trying to fire an unsatisfactory worker by the rules isn't worth the frustration.

Ideas for reform: Many civil-service supporters see a need for change. The Brookings Institution study calls for broad reform of pay and retirement systems. Top administrators pay would be raised to try to keep them in federal service, but compensation at lower levels would be reduced to bring workers' benefits more in line with those in the private sector.

Donald Devine, Reagan's director of the Office of Personnel Management, is pushing sweeping reforms that he says will make government more efficient. They include a proposal to link pay and job security to performance evaluations.

Stiff opposition: Currently, such evaluations are used for 7,000 top-level officials. An agency administrator, on 15 days' notice, can transfer a senior executive down the hall or across the country. Shaw, of the Senior Executives Association, says this power, part of a 1978 package to improve the civil service, is being misused to punish efficient but out-of-favor employees.

Devine insists that the current system, whereby 1.4 million civil servants get virtually automatic raises based on their tenure, often rewards incompetence and helps give bureaucrats a poor public image. His pay-for-performance plan has met strong opposition in Congress. Critics point to cases where they say evaluations were used punitively.

One example: Dr. Peter Infante, the Occupational Safety and Health Administration's chief cancer expert, challenged an international agency's finding that there was insufficient evidence to call formaldehyde a carcinogen. That provoked a representative of the formaldehyde industry to send Infante's boss a letter asking, "How do you control members of the bureaucracy who seem to be operating freely within and without government?" Infante got an answer: He was given an unsatisfactory job-performance rating and ordered fired. Only after a congressional panel intervened was his job saved.

Other ways out: When job evaluations do not work to push out or punish disliked

workers, transfers sometimes are used. One recent case was that of Marvin Lesht, HUD's regional personnel director in Chicago. He was ordered transferred after he had cooperated with a federal review panel investigating unfair employment practices at his agency. Under pressure from a federal review board, HUD in mid-August rescinded the transfer.

Often, employers are required to make difficult, if not impossible, choices—in effect, forcing them to quit. During a General Services Administration shakeup, for instance, a husband and wife were transferred to different cities.

Bosses also use political muscle to shift people into jobs with little to do. At the Office of Personnel Management, a research psychologist was paid his \$42,653 salary despite being demoted to coloring computer printouts, a job he said was rated to pay only \$10,645.

Another gambit, employees say, is to cut funds for agency staff and programs. Large-scale firings—called reductions in force—are used to dismantle programs that Congress wants continued, says Representative Patricia Schroeder (D-Colo.), whose House subcommittee has investigated several such firings.

Defensive punch: Bureaucrats are not powerless in the struggle with management, as the conflict at the Environmental Protection Agency demonstrates. When former Administrator Anne Burford took EPA in a new direction, she quickly learned about civil servants' tenacity. Career employees leaked damaging stories of mismanagement, political favors and employee hit lists to congressional committees and the media. In the end, the leaks helped lead to the departures of Burford and a dozen political appointees.

Still, critics say, career employees whose jobs are about to be abolished face a tough road. Lawyer George Chuzy, who represents employees, says the procedure set up in 1978 to protect bureaucrats—the Merit Systems Protection Board and its Office of Special Counsel—lacks the funding, staff and resolve to be effective.

The harshest charge against the Reagan administration's personnel actions is that they subvert the whole merit civil service. Representative Schroeder says the message from the administration is that "the merit system is being rolled back after 100 years, and here we go."

In the end, Shaw says, the current battle comes down to this: "Are you going to have a career civil service to provide the continuity and stability from administration to administration, or are you going to politicize the management of federal government?"

Reagan supporters argue that the question really is: "Are the elected officials or the bureaucrats going to run the country?"

## LEGISLATION TO DELAY RECOMPUTATION OF FEDERAL EMPLOYEES' PAY

HON. VIC FAZIO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 13, 1983

● Mr. FAZIO. Mr. Speaker, I wish to express my strong support for legislation introduced today affecting our Federal work force. This bill would delay the recomputation of Federal white-collar salaries from October 1 until the date when Federal workers receive a pay raise, which is expected

to be next January. The changeover from computing pay on the basis of a workyear of 2,080 hours to one of 2,087 hours will cost the average civil servant about \$3.20 every 2 weeks.

I have worked closely with the author of this legislation, Post Office and Civil Service Committee Chairman Bill Ford, and wholeheartedly agree that the impact of this salary-cutting formula should be delayed. This bill has already received the endorsement of the Office of Personnel Management, and represents a bipartisan effort among Members of Congress on behalf of our Federal work force. The bill will be brought to the floor under suspension of the rules, and I urge my colleagues to give it their swift and favorable consideration. ●

BISHOP FRANK MADISON REID, JR., INSTALLED AS PRESIDENT OF AME CHURCH'S COUNCIL OF BISHOPS

HON. BUTLER DERRICK

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 13, 1983

● Mr. DERRICK. Mr. Speaker, I would like to take this moment to bring to the attention of my colleagues an outstanding individual, Bishop Frank Madison Reid, Jr. Bishop Reid was recently installed as president of the African Methodist Episcopal Church's Council of Bishops when some 5,000 delegates met in my home State, South Carolina, this summer.

Bishop Reid, in addition to this outstanding and dedicated service as the presiding bishop of the Seventh Episcopal District for the past 7 years, has involved himself in both community and civic affairs outside the responsibilities of the church. He is an extraordinary individual who has done much to improve education and assist the poor. He was born in Danville, Ky., and reared primarily in St. Louis, Mo. Working with my colleague, the gentleman from the First District in Missouri, Mr. William Clay, Bishop Reid fought for equal opportunity in the war against discrimination and poverty in this country.

This great leader attended the public schools in St. Louis, and received his B.A. degree in psychology from Wilberforce University, the Nation's oldest historical black college. His masters in divinity was received from Garrett Evangelical Theological Seminary, Evanston, Ill. He has also studied at the University of Chicago and has received honorary degrees from Morris Brown College and Allen University.

Having pastored in South Carolina, Ohio, Illinois, Missouri, Maryland, and the District of Columbia, Mr. Reid has a long and distinguished history of